



10250 Constellation Blvd.  
19th Floor  
Los Angeles, CA 90067  
310.553.3000 TEL  
310.556.2920 FAX

Julie R.F. Gerchik

November 21, 2023

**Direct Dial**  
310.282.6206  
**Direct Fax**  
310.785.3506

**Email**  
jgerchik@glaserweil.com

VIA ECF

Hon. Taryn A. Merkl  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Trooper 1 v. NYSP et al.*, 22-cv-893 (LDH) (TAM)

Dear Judge Merkl:

We write on behalf of non-party Lindsey Boylan in response to Andrew Cuomo's letter to the Court dated November 17, 2023 to, once again, correct the record regarding certain misrepresentations in Mr. Cuomo's response to the non-parties' proposal to appropriately limit non-party discovery in this matter. See ECF No. 183.

First, Mr. Cuomo claims that during meet and confer efforts Ms. Boylan has "refused to provide any further discovery beyond the 25 pages she produced to the OAG in 2021." ECF No. 183 at 1 n.1. This is incorrect. Per the Court's prior instructions, Ms. Boylan has repeatedly attempted to meet and confer with Mr. Cuomo to try and narrow the issues on Mr. Cuomo's overbroad document requests to no avail. Specifically, Ms. Boylan has offered to produce other categories of documents in addition to those she provided to the OAG as a compromise, but Mr. Cuomo has rejected Ms. Boylan's offers.

Second, Mr. Cuomo mischaracterizes Ms. Boylan's production to the OAG as "incomplete." ECF No. 183 at 2. This again is incorrect, as already set forth in Ms. Boylan's November 17, 2023, letter (ECF No. 184): OAG was satisfied with Ms. Boylan's production, and it is not for Mr. Cuomo's counsel to second guess its judgment.

Third, as we have repeatedly stated, Ms. Boylan does not have any unique information to provide in connection with this matter. See ECF No. 183 at 3. Like the other non-parties, Ms. Boylan does not know Plaintiff and had no involvement in her claims. Nor was the OAG's investigation into Mr. Cuomo's misconduct regarding Ms. Boylan somehow different from the other witnesses. Ms. Boylan provided documents

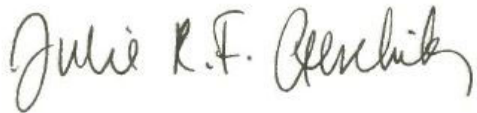
November 21, 2023  
Page 2

to the OAG and was interviewed just like everyone else. The OAG was satisfied with Ms. Boylan's cooperation - end of story.

Finally, Mr. Cuomo's continued attempts at character assassination and smearing of Ms. Boylan—a non-party witness with no involvement in the case other than Mr. Cuomo's improper subpoenas—must stop. **Mr. Cuomo is the defendant, not Ms. Boylan.** Mr. Cuomo and his counsel should be ordered to cease their efforts to take advantage of the civil discovery process to settle political scores and further retaliate against the women who courageously spoke out against him.

Your Honor, Ms. Boylan is making a personal plea to respectfully request that you to tell Mr. Cuomo that enough is enough, and to order his counsel to stop using millions of dollars of taxpayer funds to continue this ongoing campaign of smear tactics and retaliation against her.

Respectfully submitted,

A handwritten signature in cursive script, reading "Julie R.F. Gerchik".

JULIE R.F. GERCHIK  
for GLASER WEIL FINK HOWARD JORDAN & SHAPIRO LLP

E. DANYA PERRY  
for Perry Law